

THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE: David M. Bizal, : Chapter 13
Debtor : Bankruptcy No.: 21-13212-elf
:

ORDER

AND NOW, upon consideration of the Motion to Sell Real Property, and upon notice to all interested parties and any response thereto, and after a hearing before the Court and for good cause shown, it is hereby

ORDERED, that debtor is granted permission to sell real property known as 101 Kurtz Lane, Coatesville, PA 19320 (“Property”) for the sale price of \$320,000 to buyers Herbert Habecker and Deborah Habecker (“Buyers”), who have been represented to be purchasing the Property at arms-length.

The proceeds of the sale, including any funds held as a deposit made by or on behalf of the Buyers, shall be distributed in the following manner:

1. Estimated ordinary and reasonable settlement costs, including, but not limited to those related to notary services, deed preparation, disbursements, express shipping, surveys, municipal certifications, or any other such routine matters \$ 2,000.00
2. Lien paid at closing – Community Loan Servicing LLC * \$ 95,000.00
* the mortgage lien shall be paid in full and will vary accordingly on actual settlement date.
3. Pennsylvania Real Estate Transfer Tax of 1.0% \$ 3,200.00
4. Commission to Dominick Fantanarosa (Agent of Sellers) \$ 8,000.00
5. Commission to Luke Berg (Agent of Buyers) \$ 8,000.00
6. Exempt sale proceeds paid to David Bizal \$ 25,150.00
7. Citizens Bank, N.A. (Claim 3) \$ 13,340.76
8. Discover Bank (Claim 5) \$ 14,324.93
9. Internal Revenue Service- priority and non-priority (Claim 17) \$ 11,929.58
10. Kathleen Bizal (Claim 25) \$ 27,984.70

11. Approximate payment to Kenneth West, Chapter 13 Trustee	<u>\$ 111,070.03</u>
Total:	\$ 320,000.00

This Order permitting sale of the real estate shall be effective and enforceable immediately upon entry and Debtor David M Biza and Kathleen Bizal and Buyers are authorized to close the Sale immediately upon entry of this Sale Order. The stay required under Bankruptcy Rule 6004(h) is hereby waived.

The title clerk shall fax a settlement statement from the closing directly to Kenneth E. West, Chapter 13 Trustee upon the close of the settlement to (215) 627-6299, and the Trustee shall promptly notify the title company of any objection to the sums to be disbursed. The title clerk shall immediately transmit the actual disbursement check to the trustee by overnight courier.

In the event the case is converted to Chapter 7, any funds remaining in the possession of the standing Chapter 13 trustee derived from the sale of the real estate shall be transferred to the appointed Chapter 7 trustee.

BY THE COURT:

Date

Honorable Eric L. Frank
United States Bankruptcy Judge